

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department – Allegation of collection of illegal amounts from the Transport Operators against the officials of the office of the Deputy Transport Commissioner, Guntur – Sri G.Adinarayana, MVI - Placed before the Tribunal for Disciplinary Proceedings on his defence – Imposition of penalty of withholding of three increments with cumulative effect – Orders – Issued.

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TRANSPORT, ROADS AND BUILDINGS (VIG.III.2) DEPARTMENT

G.O.Rt.No. 580

Dated 10.06.2013.

Read the following:-

- 1) From the Director General, Anti Corruption Bureau, Hyderabad Lr. C.No.40/DES-VGT/2004, Dated 12.10.2004.
- 2) Govt.Letter No.12019/Vig.III/2/2004-3, TR&B Deptt., Dated 12.7.2005.
- 3) From the Secretary, Tribunal for Disciplinary Proceedings, Hyderabad, Lr.Dis.No.S/10/2010, Dated 29.5.2010.
- 4) Govt.Memo.No.12019/Vig.III/2/2004-14, TR&B Deptt., Dated 8.11.2010.
- 5) From Sri G.Adinarayana, Motor Vehicles Inspector representation Dated 17.2.2011.

O R D E R:

Based on the surprise check conducted by the Anti Corruption Bureau Officials on 27/28.5.2004, over the office of the Deputy Transport Commissioner, Guntur Sri G.Adinaraya, Motor Vehicles Inspector O/o. Deputy Transport Commissioner, Guntur was placed on his defence before the Tribunal for Disciplinary Proceedings along with other officials vide Government letter 2nd read above.

2. The Tribunal for Disciplinary Proceedings has framed the following charge against Sri G.Adinarayana:--

“that Sri G.Adinarayana while working as Motor Vehicles Inspector O/o. Deputy Transport Commissioner, Guntur was actuated by corrupt motive and in abuse of his official position though he was present in the office failed to restrain the entry of private persons to occupy the seats of the Government employees of the office of the DTC Guntur and his slack supervision over the staff members of his office and thereby he is guilty of misconduct within the meaning of Rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964 read with Rule 2(b) of Andhra Pradesh, Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989 framed under the Andhra Pradesh, Civil Services (Disciplinary Proceedings Tribunal) Act, 1960 as amended in 1993”.

3. The Tribunal for Disciplinary Proceedings has conducted a detailed enquiry and submitted its report in TEC No.10/2006 through letter 3rd read above duly holding that the charge framed against him is established.

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4. In the Memo. 4th read above a copy of the enquiry report has been communicated to Sri G.Adinarayana along with others for his representation if any in the matter for which, he submitted his representation vide 5th read above stating inter-alia that the Prosecution could not adduce even an iota of evidence to show that he allowed private persons to occupy the seats of staff members or that he committed slack supervision; that there is no evidence produced by the prosecution that he was the supervising officer over the staff members of DTC, Guntur; that in fact there were three Superintendents including PW.8 who are responsible for the supervision of the work of the staff members; that in his seat, he was present attending to his work and no private person occupied his seat; that the same was also clearly mentioned in the surprise check proceedings; that there was no complaint against him by any body to the ACB officials; that even on the date of surprise check proceedings, the ACB officials could not find any amount with him; that without any basis or assigning any reasons, the Hon'ble Tribunal held that the charge against him is proved; that on the fact of it, the findings of the Tribunal for Disciplinary Proceedings are totally perverse, one sided and the same is liable to be rejected outright as the findings of the Tribunal for Disciplinary Proceedings holding him guilty of the charge is not based on any legal, trustworthy and acceptable evidence either documentary or oral available on record and therefore requested to drop further proceedings against him.

5. Government after careful examination of the matter have observed that in fact the departmental enquiry, which is a quasi judicial, need not be conducted in a manner similar to judicial as of a Court of Law; that the findings of a departmental enquiry may be based on preponderance of probabilities and hence, the contentions of the Charged Officer against the findings of the Tribunal for Disciplinary Proceedings are not tenable and therefore decided to impose the punishment of stoppage of three increments with cumulative effect against Sri G.Adinarayana, Motor Vehicles Inspector.

6. Accordingly, Government hereby impose the punishment of withholding of three increments with cumulative effect against Sri G.Adinarayana, Motor Vehicles Inspector.

7. The Transport Commissioner, Andhra Pradesh, Hyderabad shall take further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D. LAKSHMI PARTHASARATHY,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri G.Adinarayana, Motor Vehicles Inspector through Transport Commissioner, Andhra Pradesh, Hyderabad.
The Transport Commissioner, Andhra Pradesh, Hyderabad.
Copy to
The Director General, Anti Corruption Bureau, Hyderabad
The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER.